

4. Have any persons become partners, officers, directors or similar officials during this 6 month reporting period?
Yes ☐ No ☒

If yes, furnish the following information:

Name	Residence Address	Citizenship	Position	Date Assumed
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-
5. Has any person named in Item 4 rendered services directly in furtherance of the interests of any foreign principal? Yes ☐ No ☒

If yes, identify each such person and describe his services.

-
6. Have any employees or individuals other than officials, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period?
Yes ☐ No ☒

If yes, furnish the following information:

Name	Position or connection	Date terminated
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-
7. During this 6 month reporting period, have any persons been hired as employees or in any other capacity by the registrant who rendered services to the registrant directly in furtherance of the interests of any foreign principal in other than a clerical or secretarial, or in a related or similar capacity?
Yes ☐ No ☒

If yes, furnish the following information:

Name	Residence Address	Position or connection	Date connection began
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II - FOREIGN PRINCIPAL

8. Has your connection with any foreign principal ended during this 6 month reporting period?

Yes ☐ No ☒

If yes, furnish the following information:

*See "Addendum" Attached hereto

Name of foreign principal
Electronic Industries Assn. of Japan
2-2, Marunouchi, 3-chome
Chiyoda-ku
Tokyo, Japan

Date of Termination

9. Have you acquired any new foreign principal¹ during this 6 month reporting period?

Yes ☒ No ☐

If yes, furnish following information:

* See "Addendum" Attached hereto

Name and address of foreign principal
Electronic Industries Assn. of Japan
2-2, Marunouchi, 3-chome
Chiyoda-ku
Tokyo, Japan

Date acquired

XXXXXXXXXX

10. In addition to those named in Items 8 and 9, if any, list the foreign principals¹ whom you continued to represent during the 6 month reporting period.

Japan Light Machinery Information Center, 437 Fifth Avenue, N.Y., N.Y.
Japan Trade Center, 393 Fifth Avenue, New York, N.Y.
U.S.-Japan Trade Council, 1000 Connecticut Ave., N. W. Washington, D. C.
Embassy of Japan, 2520 Massachusetts Ave., N.W., Washington, D. C.

III - ACTIVITIES

11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 8, 9 and 10 of this statement? Yes ☒ No ☐

If yes, identify each such foreign principal and describe in full detail your activities and services:

Japan Light Machinery Information Center; Legal Counseling Services

Japan Trade Center: Legal counseling services and economic and marketing consultation.

Special Counsel to the Embassy of Japan, rendering legal and informational counselling services with respect to matters relating to U.S.-Japan. Counselling services include legal analysis of legislative activity and Administration actions affecting trade, rendered upon request by Embassy.

Special Counsel to the U.S.-Japan Trade Council providing counselling services principally with respect to matters pertaining to Japanese laws and regulations to provide basic data and information in matters pertaining to Japanese speaking members and trade organizations in Japan.

Electronic Industries Association of Japan: See "Addendum to Questions 8 and 9" attached hereto.

¹ The term "foreign principal" includes, in addition to those defined in section 1(b) of the Act, an individual or organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a)(9)).

A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those foreign principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity² as defined below?

Yes ☒ No ☐

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates, places of delivery, names of speakers and subject matter.

For details see "Addendum" to Questions 8 and 9 attached hereto

-
13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits any or all of your foreign principals?

Yes ☐ No ☒

If yes, describe fully.

² The term "political activities" means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policies of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV - FINANCIAL INFORMATION

14. (a) RECEIPTS - MONIES

During this 6 month reporting period, have you received from any foreign principal named in Items 8, 9 and 10 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise?

Yes ☒ No ☐

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies.³

<i>Date</i>	<i>From Whom</i>	<i>Purpose</i>	<i>Amount</i>
5/70-10/70	U.S. Japan Trade Council	Legal & Informational fee	\$3,150.00
5/70-10/70	Embassy of Japan	Legal & Informational fee	\$8,100.00
5/70-10/70	Japan Trade Center	Legal & Informational fee	\$6,000.00
10/9/70-10/12/70	Electronic Industries Assn. of Japan	* Statement to Senate Finance Committee	
10/12-10/13/70	" " " " " "	** Press Release	
10/13-10/14/70	" " " " " "	** Press Release	

* Fee and expenses will exceed \$1,500.00

** Agreement had been reached to proceed with preparation and circulation of press releases with fee to be negotiated later in view of time factor.

Total \$ 17,250.00

14. (b) RECEIPTS - THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁴ other than money from any foreign principal named in Items 8, 9 and 10 of this statement, or from any other source, for or in the interests of any such foreign principal?

Yes ☐ No ☒

If yes, furnish the following information:

<i>Name of foreign principal</i>	<i>Date Received</i>	<i>Description of thing of value</i>	<i>Purpose</i>
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³ A registrant is required to file an Exhibit D if he collects or receives contributions, loans, money, or other things of value for a foreign principal, as part of a fund raising campaign. See Rule 201(e).

⁴ Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) DISBURSEMENTS - MONIES

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 8, 9 and 10 of this statement? Yes ☒ No ☐

(2) transmitted monies to any such foreign principal? Yes ☐ No ☐

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

<i>Date</i>	<i>To Whom</i>	<i>Purpose</i>	<i>Amount</i>
<u>Embassy of Japan</u>			
various	Xerox Corporation	rental and supplies	\$ 250.00 (est.)
various	Western Girl	secretarial & clerical	\$ 60.00 (est.)
various	Stotts, Inc.	office supplies	\$ 45.00 (est.)
various	various	Transportation	\$ 40.00 (est.)
various	Lawrence R. Walders	Legal services	\$ 900.00 (est.)
<u>Japan Trade Center</u>			
various	Laure E. Obolensky	secretarial	\$ 300.00 (est.)
various	various	office supplies	\$ 55.00 (est.)
<u>U.S. Japan Trade Council</u>			
various	Laure E. Obolensky	secretarial	\$ 60.00 (est.)
<u>Electronic Industries Assn. of Japan</u>			

Disbursements not yet known

Total \$1,710.00 (est.)

15. (b) DISBURSEMENTS - THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value⁵ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in items 8, 9 and 10 of this statement?

Yes ☐ No ☒

If yes, furnish the following information:

<i>Date disposed</i>	<i>Name of person to whom given</i>	<i>On behalf of what foreign principal</i>	<i>Description of thing of value</i>	<i>Purpose</i>
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(c) DISBURSEMENTS - POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value⁵ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office? Yes ☐ No ☒

If yes, furnish the following information:

<i>Date</i>	<i>Amount or thing of value</i>	<i>Name of political organization</i>	<i>Name of candidate</i>
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V - POLITICAL PROPAGANDA

(Section 1(j) of the Act defines "political propaganda" as including any oral, visual, graphic, written, pictorial, or other communication or expression by any person (1) which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissensions, or (2) which advocates, advises, instigates, or promotes any racial, social, political, or religious disorder, civil riot, or other conflict involving the use of force or violence in any other American republic or the overthrow of any government or political subdivision of any other American republic by any means involving the use of force or violence.)

16. During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any political propaganda as defined above? Yes ☒ No ☐

IF YES, RESPOND TO THE REMAINING ITEMS IN THIS SECTION V.

17. Identify each such foreign principal.

Electronic Industries Assn. of Japan
Tokyo, Japan

⁵ Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating political propaganda?
Yes ☒ No ☐

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

Electronic Industries Assn. of Japan 10/9-10/12 Amount not as yet agreed upon
Electronic Industries Assn. of Japan 10/12-10/13 Amount not as yet agreed upon
Electronic Industries Assn. of Japan 10/13/-10/14 Amount not as yet agreed upon

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of political propaganda include the use of any of the following:

☐ Radio or TV broadcasts ☐ Magazine or newspaper articles ☐ Motion picture films ☐ Letters or telegrams
☐ Advertising campaigns ☐ Press releases ☐ Pamphlets or other publications ☐ Lectures or speeches
☐ Other (specify) See Addendum to Section V

20. During this 6 month reporting period, did you disseminate or cause to be disseminated political propaganda among any of the following groups:

☐ Public Officials ☐ Newspapers ☐ Libraries
☐ Legislators ☐ Editors ☐ Educational institutions
☐ Government agencies ☐ Civic groups or associations ☐ Nationality groups
☐ Other (specify) See Addendum to Section V

21. What language was used in this political propaganda:

☒ English ☐ Other (specify)

22. Did you file with the Registration Section, Department of Justice, two copies of each item of political propaganda material disseminated or caused to be disseminated during this 6 month reporting period?

Yes ☐ No ☐ See Addendum to Section V

23. Did you label each item of such political propaganda material with the statement required by Section 4(b) of the Act? Yes ☐ No ☐ See Addendum to Section V

24. Did you file with the Registration Section, Department of Justice, a Dissemination Report for each item of such political propaganda material as required by Rule 401 under the Act?

Yes ☐ No ☐ See Addendum to Section V

VI - EXHIBITS AND ATTACHMENTS

25. EXHIBITS A AND B

- (a) Have you filed for each of the newly acquired foreign principals in Item 9 the following:

Exhibit A⁶ Yes ☐ No ☒

Exhibit B⁷ Yes ☐ No ☒

If no, please attach the required exhibit.

- (b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during this six month period?

Yes ☐ No ☐ none filed in preceding six month period

If yes, have you filed an amendment to these exhibits? Yes ☐ No ☐

If no, please attach the required amendment.

⁶ The Exhibit A, which is filed on Form DJ-306, sets forth the information required to be disclosed concerning each foreign principal.

⁷ The Exhibit B, which is filed on Form DJ-304, sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

26. EXHIBIT C

If you have previously filed an Exhibit C⁸, state whether any changes therein have occurred during this 6 month reporting period.

Yes ☐ No ☐ not applicable

If yes, have you filed an amendment to the Exhibit C? Yes ☐ No ☐

If no, please attach the required amendment.

27. SHORT FORM REGISTRATION STATEMENT

Have short form registration statements been filed by all of the persons named in Items 5 and 7 of the supplemental statement?


Yes ☐ No ☒

If no, list names of persons who have not filed the required statement.

The undersigned swear(s) or affirm(s) that he has (they have) read the information set forth in this registration statement and the attached exhibits and that he is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in attached Short Form Registration Statement, if any, insofar as such information is not within his (their) personal knowledge.

(Type or print name under each signature)

(Both copies of this statement shall be signed and sworn to before a notary public or other person authorized to administer oaths by the agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions who are in the United States, if the registrant is an organization.)



Subscribed and sworn to before me at Washington, D.C.

this 20th day of October, 19 70


(Signature of notary or other officer)

My commission expires May 14, 19 72

⁸ The Exhibit C, for which no printed form is provided, consists of a true copy of the charter, articles of incorporation, association, constitution, and bylaws of a registrant that is an organization. (A waiver of the requirement to file an Exhibit C may be obtained for good cause shown upon written application to the Assistant Attorney General, Internal Security Division, Department of Justice, Washington, D.C. 20530.)

ADDENDUM

II. FOREIGN PRINCIPAL - Questions 8 and 9

<u>FOREIGN PRINCIPAL</u>	<u>Date Acquired</u>	<u>Date of Termination</u>
Electronic Industries Assn. of Japan 2-2, Marunouchi, 3-chome Chiyoda-ku Tokyo, Japan	Oct. 9	Oct. 12

Purpose: Filing a statement on behalf of above cited foreign principal with the Committee on Finance, U.S. Senate, opposing H.R. 18970.

* * * *

Electronic Industries Assn. of Japan 2-2, Marunouchi, 3-chome Chiyoda-ku Tokyo, Japan	Oct. 12	Oct. 13
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Purpose: To issue a press release challenging the fairness of the Treasury antidumping action involving Television receivers from Japan.

* * * *

Electronic Industries Assn. of Japan 2-2, Marunouchi, 3-chome Chiyoda-ku Tokyo, Japan	Oct. 13	Oct. 14
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Purpose: To issue a second press release summarizing statements and views of the foreign principal herein involved given before a Treasury Department meeting held on October 14, 1970 in connection with the television antidumping case involving Japan.

* * * *

Note: Copies of the above cited documents are appropriately attached to Exhibit B

ADDENDUM TO SECTION V

I have prepared and disseminated to a limited number of news agencies and radio and television stations located in Washington, D. C., two press statements on behalf of the Electronic Industries Association of Japan by hand-carrying such press releases on October 13 and October 14. Since the United States mail facilities were not used and since the materials were not transported in interstate commerce but hand-carried within the District of Columbia, in our opinion, it is believed that we have fully complied with the filing and labeling requirements of Section 4(a) of the Act.

For your information, we attach herewith copies of the press releases herein involved.



OFFICE OF THE SECRETARY OF THE TREASURY
WASHINGTON, D.C. 20220

OCT 6 1970

Dear Mr. Tanaka:

As you have been notified, the Treasury Department has determined that an opportunity should be afforded for all interested persons to appear at a meeting to be held in Room 4121 of the Treasury Department, commencing at 9:30 a.m. on October 14, 1970, to make oral presentations with respect to the withholding of appraisement notice published in the September 4, 1970, issue of the Federal Register regarding television receiving sets from Japan.

As an unusually large number of persons have requested an opportunity to present oral views, I thought it would be desirable to indicate in advance the ground rules under which the meeting will be conducted.

While meetings of this type are informal, in the interest of orderly procedure it has been our policy to allot each person requesting an opportunity to present oral views, one hour for his presentation. We plan to observe this policy at the TV meeting except that those representing multiple interests will be afforded additional time. You will be allotted two hours. Additional time, as appropriate, will be allowed for any comments in rebuttal.

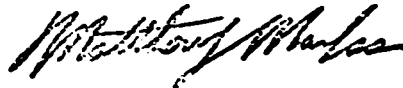
In keeping with the informality of the meeting, we request that no verbatim transcript of what transpires be made by electronic or other means.

Several persons have requested that the formal "hearing" provisions of the Administrative Procedure Act be followed at the meeting. It is the Treasury Department's position that the formal "hearing" requirements of that Act do not apply to meetings of this type. The Department, in its discretion, has decided that the circumstances warrant holding this meeting in furtherance of its conduct of the investigation under the Antidumping Act. No formalities, such as those typical to an adversary proceeding which is required to be conducted in accordance with the procedural standards of the Administrative Procedure Act, will be observed.

The Department has also received requests for an explanation of the rationale upon which the September 4 withholding of appraisement Order was based. It is the Department's view that the withholding of appraisement notice, as published, speaks for itself.

Your request for separate meetings with Departmental representatives with respect to each of the manufacturers whom you represent has been duly noted. We suggest that comments with respect to such confidential information as you may consider appropriate be submitted to the Department in memorandum form. Accordingly, your request is denied.

Sincerely yours,



Matthew J. Marks
Deputy to the Assistant Secretary
(Tariff and Trade Affairs)

H. William Tanaka, Esq.
Tanaka and Walders
1819 H Street, N. W.
Washington, D. C. 20006

LAW OFFICES
TANAKA AND WALDERS
FEDERAL BAR BUILDING WEST
1619 H STREET, N. W.
WASHINGTON, D. C. 20006

HAJIME WILLIAM TANAKA
LAWRENCE R. WALDERS

TELEPHONE
202 223-1670
CABLE: TANLAW
TELEX: 24450

October 13, 1970

Honorable Matthew J. Marks
Deputy to the Assistant Secretary
of the Treasury (Tariff and Trade Affairs)
Department of Treasury
Washington, D. C. 20220

Re: Antidumping Investigation on Monochrome and
Color Television Receivers from Japan

Dear Mr. Marks:

We are in receipt of your letter of October 6, 1970 which sets forth the ground rules for the meeting to be held at the Treasury Department on October 14, 1970 in connection with the withholding of appraisal notice regarding television receiving sets from Japan.

We submit that a meeting held in accordance with these ground rules would be totally inconsistent with elementary principles of fairness and due process of law. This procedure would deprive the respondents of the legal protections afforded by the U.S. Constitution and the Administrative Procedure Act, as stated in the letter to the Commissioner of Customs dated September 18, 1970 on behalf of Matsushita Electric Industrial Co., Ltd. and Matsushita Electric Corporation of America, which was subsequently incorporated by reference in a letter submitted to the Commissioner of Customs on September 24, 1970 on behalf of the other Japanese television manufacturers and their U.S. subsidiaries.

The Constitution and the Administrative Procedure Act fundamentally require that decisions in this proceeding must, at least, be based upon a written record. Yet, it has been requested that "no verbatim transcript of what transpires be made by electronic or other means." Thus, not only will there be no official record of the proceedings, but the parties themselves will not be permitted to make a transcript. This, we submit, is in clear violation of basic requirements of due process of law, highlighting the fundamental unfairness which has characterized this entire investigation.

Honorable Matthew J. Marks
October 13, 1970
Page Two

In addition, we object to the exclusion of the press from this meeting. On August 28, 1970, the Assistant Secretary of the Treasury for Enforcement and Operations saw fit to hold a press conference in connection with the withholding of appraisement order wherein statements were made which were damaging to the reputation of our clients. Now the Treasury Department proposes to exclude the press from this meeting at which we are to have an opportunity to state our case. Exclusion of the press cannot be justified, since no confidential information will be discussed, nor will any matter of national security interest.

The action of the Treasury Department in calling a press conference to issue the withholding of appraisement order was totally unprecedented and, in itself, served to create the impression that the respondents had already been "convicted" of dumping, even though the withholding of appraisement order is, by regulation, a preliminary action and not a final decision. The entire tone of the press conference, of which a full verbatim transcript was made, and a number of the specific statements made at that time serve to confirm this unwarranted impression. These highly prejudicial statements were widely published in the press and reported over television and radio. The October 14 meeting provides the only formal opportunity for the respondents to present their views orally to the Treasury Department. Elementary considerations of justice and fair play require that the Treasury Department afford us an opportunity to correct some of the mistaken impressions created by the Assistant Secretary's press conference. This proceeding is certainly no more "informal" than the press conference, and there is clearly no less reason for keeping a verbatim transcript.

The Constitution and the Administrative Procedure Act require that each of the respondents be given a full and authoritative statement of the evidentiary basis on which the Secretary of the Treasury has found reason to believe or suspect that dumping has occurred in this case, in order that they may be able to rebut, refute and explain such evidence. The procedures followed in this investigation have deprived the respondents of this basic right.

In addition to the requirements of the Administrative Procedure Act, the procedure adopted violates the Customs Regulations, Part 153, promulgated by the Treasury Department for the protection of persons affected in antidumping proceedings. These Regulations

Honorable Matthew J. Marks
October 13, 1970
Page Three

in §153.34(a) provide that:

"If the Commissioner determines during the course of his investigations that there are reasonable grounds to believe or suspect that any merchandise is being, or is likely to be, sold at less than its foreign market value (or, in the absence of such value, then its constructed value) under the Antidumping Act, and if there is evidence on record concerning injury or likelihood of injury to or prevention of establishment of an industry of the United States, he shall publish notice of these facts in the FEDERAL REGISTER in a 'Withholding of Appraisement Notice,' indicating --

"(1) That the belief or suspicion relates only to certain shippers or producers, if this is the case and that the investigation is limited to the transactions of such shippers or producers;

"(2) The expiration date of the notice (which shall be no more than 3 months from the date of publication of the notice in the FEDERAL REGISTER, unless a longer period of withholding of appraisement has been requested by the importer and the exporter pursuant to paragraph (b) and has been approved by the Commissioner).

"This withholding of appraisement notice, will be issued concurrently with the Secretary's determination pursuant to §153.35, unless appraisement is being withheld pursuant to paragraph (b) of this section."

They also provide in §153.37 in pertinent part that:

"As soon as possible after the publication of the withholding of appraisement notice if any person believes that for any reason the withholding action is in error, he may request that the Secretary of the Treasury afford him an opportunity to present his views in this regard."

The obvious purpose of affording an interested person an opportunity to present his views is to enable such person to point out to the Secretary the reasons why the withholding of appraisement was in error -- that is, to show that there were no "reasonable grounds to believe or suspect" that the merchandise in question is being or is likely to be sold at less than fair value. Under the ground rules described in your letter, the opportunity so afforded is illusory and without meaning for the following reasons.

None of the calculations on which the apparent margins of dumping are allegedly based have been made available in final form to the respondents. The only information given to the respondents was that provided informally by the case workers on the matter. As the Assistant Secretary of the Treasury for Enforcement and Operations stated in his press conference of August 28, 1970, ". . . Anyone that draws any implication from any conversation he may have had with a case worker, does so at his peril." The instant case vividly illustrates the truth of that statement. In view of this experience and the remarks of the Assistant Secretary, how can one rely in any way on the information recently made available by the new case worker?

It is therefore impossible to understand the Assistant Secretary's response to a question from a member of the press who asked whether the Japanese exporters will know what price they can safely charge. Mr. Rossides responded:

"Yes. Each particular company will know because they know their own home market costs, ex-factory price; they know what they are selling it for to a foreign country. They will know immediately."

How can the respondents know? How can the respondents know when the withholding of appraisement notice provides no basis for any respondent to calculate its fair value, and when the Assistant Secretary categorically states that one cannot rely upon information received from the case worker?

Thus the respondents have been left without any real guidance as to the enforcement policies of the Treasury Department on which to base their pricing policies, and have further been asked to present their arguments before the Treasury Department without being informed of the specific basis of the withholding action.

Further, the refusal of the Department to explain with specificity the rationale underlying the withholding of appraisement order effectively precludes us from presenting any meaningful arguments in that regard. The notice as published is vague and stated in the most general of terms and provides no basis whatsoever for respondents to present their views to the Treasury Department.

Honorable Matthew J. Marks
October 13, 1970
Page Five

Particular exception is taken to the Department's view that "the withholding of appraisal notice, as published, speaks for itself." This statement constitutes a complete denial of our request for explanation of the basis of the withholding of appraisal. If the withholding of appraisal notice "speaks for itself", it conveys no message to the respondents as to the reasons for the withholding of appraisal order. The notice is stated in the most general of terms. Not only does it give no indication of the reasons for the Treasury Department's decision, it does not even inform us of the specific rulings which the Department has tentatively made concerning the various claimed deductions and allowances for each of the respondents. This notice provides no basis whatsoever for the respondents to present their views to the Treasury Department.

It is understandable that the Department would not disclose the specific fair value calculations for each manufacturer in a public notice due to the confidential nature of such information. But we know of no reason why such information could not have been furnished separately in writing to the respondents or their counsel.

Finally, we urge the Department to reconsider its denial of our request for separate meetings with the Departmental representatives for each of the manufacturers. As noted in the letter submitted to the Commissioner of Customs on September 18, 1970 on behalf of the concerned Japanese manufacturers and their U.S. subsidiaries, the nature of the October 14 meeting prevents a detailed presentation of our position on behalf of each of the respondents since such a presentation would, of necessity, involve confidential information. If, as indicated in your letter, such information can only be submitted in memorandum form, we will be deprived of an opportunity for a full and effective hearing on the basic issues involved in this investigation.

Sincerely yours,

HITACHI, LTD.
MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.
SHARP CORPORATION
SONY CORPORATION
TOKYO SHIBAURA ELECTRIC CO., LTD.

HITACHI SALES CORPORATION OF AMERICA
SHARP ELECTRONICS CORPORATION
SONY CORPORATION OF AMERICA
TOSHIBA AMERICA, INC.

By 

H. WILLIAM TANAKA
Attorney